



08-20-04

2 FW AF / 1642

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Agus, et al. Docket No.: 39766-0142A
Serial No.: 09/602,800 Group Art Unit: 1642
Filing Date: June 23, 2000 Examiner: Holleran, Anne L.
For: **TREATING PROSTATE CANCER WITH ANTI-ErbB2
ANTIBODIES**
EXPRESS MAILING LABEL NO.: EL 993 689 783 US
Mailing Date: September 16, 2004

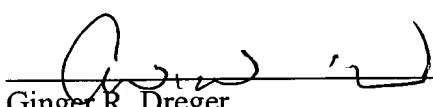
MS: AF
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

TRANSMITTAL

- ☒ Transmitted herewith are the following documents:
- (1) Transmittal;
 - (2) Notice of Appeal;
 - (3) Authorization to charge Deposit Account No. 08-1641 in the amount of \$330 for Notice of Appeal filing fee.
- ☒ The Commissioner is authorized to charge any required fees, or credit any overpayment to Deposit Account No. 08-1641.
- ☒ Attached is a postcard for date-stamped return as confirmation of receipt of these materials.

Respectfully submitted,

Date: September 16, 2004


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NOTICE OF APPEAL

Mail Stop AF
Commissioner for Patent
P.O. Box 1450
Alexandria, Virginia 22313-1450

Dear Sir:

Applicant hereby appeals to the Board of Appeals from the decision dated June 16, 2004 of the Primary Examiner finally rejecting Claims 1-9 and 22-31. The item(s) marked below are appropriate:

☒ **Filing Fee:**

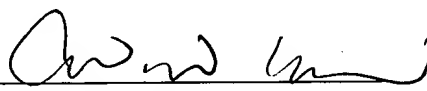
☒ **\$330.00 (large entity)**

☐ **Time Extension Fee (if applicable):**

☐ _____ **months**

☒ The Commissioner is authorized to charge filing fee, additional fees or credit overpayment to Deposit Account No. **08-1641 (39766-0142A)**.

Date: September 16, 2004

By: 
Ginger R. Dreger
Reg. No. 33,055

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